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**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

IN RE: VIJAY K. TANEJA, <i>et al.</i>	)	
	)	Case No. 08-13293-SSM
Debtors in Possession	)	Chapter 11
	)	(Jointly Administered)

**LIMITED RESPONSE OF VIRGINIA COMMERCE BANK TO MOTION TO  
APPROVE SALE OF 261 MEADOWS LANE, NE, LEESBURG, VIRGINIA FREE  
AND CLEAR OF ALL LIENS AND OTHER INTERESTS**

Virginia Commerce Bank (“VCB”), by counsel, hereby responds to the Motion of H. Jason Gold, the Chapter 11 Trustee, to approve the sale of 261 Meadows Lane, NE, Leesburg, Virginia (the “Property”), free and clear of all liens and other interests, as follows:

1. VCB has a claim in the amount of \$353,162.00 secured by the Property. This secured claim is evidenced by a deed of trust dated November 8, 2007 (“VCB Deed of Trust”).
2. The VCB Deed of Trust secures the obligations of VCB under certain letters of credit issued (“Letters of Credit”) to secure the performance of NRM Investments, Inc. with respect to construction on the property known as 10611 Judicial Drive, Fairfax, Virginia. The Letters of Credit have not been called.

3. As stated the Motion, VCB's lien will attach to the proceeds of the sale, which the Trustee proposes to hold in escrow pending a determination of whether or when the Letters of Credit will be called.

4. VCB does not object to the relief requested in the Trustee's Motion but requests that the proceeds of the sale be segregated and held in escrow until the Letters of Credit either have been called or released.

WHEREFORE, Virginia Commerce Bank prays that the Court grant the Trustee's Motion and order that the proceeds of the sale be segregated and held in escrow until the Letters of Credit either have been called or released.

Respectfully submitted,

Virginia Commerce Bank  
By counsel

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By: /s/ Brian F. Kenney  
Brian F. Kenney (VSB #23199)  
*Counsel for Virginia Commerce Bank*

## **CERTIFICATE OF SERVICE**

I hereby certify that I caused to be sent via electronic mail, a true and accurate copy of the foregoing to the following persons on January 9, 2009:

*Chapter 11 Trustee:*

H. Jason Gold

Email: [jgold@wileyrein.com](mailto:jgold@wileyrein.com)

*Counsel for the Chapter 11 Trustee:*

Alexander McDonald Laughlin

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*Office of the U.S. Trustee:*

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*Counsel for the Jointly Administered Debtors:*

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/s/ Brian F. Kenney

Brian F. Kenney